

**DURHAM CITY COUNCIL WORK SESSION  
THURSDAY, JULY 19, 2007 – 1:00 P.M.  
Committee Room – 2<sup>nd</sup> Floor – City Hall**

**SUBJECT: COMMITTEE TO INVESTIGATE DURHAM POLICE  
DEPARTMENT IN THE DUKE LACROSSE CASE**

Due to concerns expressed in the community, Mayor Bell recommended that the name of the committee established by the City Council on June 1, 2007 [Duke Lacrosse Investigative Committee] be changed to Committee to Investigate Durham Police Department in the Duke Lacrosse Case.

**MOTION** by Council Member Woodard seconded by Council Member Clement to suspend the rules of the City Council and take action on the request by Mayor Bell was approved at 1:08 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to change the name of the committee established by the Council on June 1, 2007 as “Committee to Investigate Durham Police Department in the Duke Lacrosse Case” was approved at 1:08 p.m. by the following Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**SUBJECT: PROPOSED SALE OF PROPERTY AT 516-A EASTWAY  
AVENUE, 520-C EASTWAY AVENUE, 1321 TAYLOR STREET  
AND 1403 TAYLOR STREET**

**MOTION** by Mayor Pro Tempore Cole-McFadden seconded by Council Member Stith to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:11 p.m. by the following votes: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**MOTION** by Council Member Woodard seconded by Council Member Stith to determine the properties at 516-A and 520-C Eastway Avenue and 1321 and 1403 Taylor Street as surplus;

To authorize the sale of the properties under the authority of Section 86 of the City Charter;

To accept the offers to purchase for the properties located at 516-A and 520-C Eastway Avenue and 1321 and 1403 Taylor Street; and

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To authorize the City Manager to sell and the Mayor to convey the properties by a non-warranty deed and authorize the City Manager to terminate these contracts for sale if the contract terms are not fulfilled was approved at 1:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**SUBJECT: RIGHT OF ENTRY AGREEMENT TO SELF-HELP COMMUNITY DEVELOPMENT CORPORATION**

**MOTION** by Council Member Stith seconded by Council Member Woodard to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:12 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**MOTION** by Council Member Stith seconded by Council Member Woodard to authorize the City Manager to execute and make changes to the Right of Entry Agreement prior to execution with Self-Help Community Development Corporation was approved at 1:12 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**SUBJECT: UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT  
AMENDMENT – FIRM TECHNICAL CHANGES (TC07-09)**

**MOTION** by Council Member Stith seconded by Council Member Catotti to suspend the rules of the City Council and take action on the above-mentioned subject was approved at 1:19 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

City/County Planning Director Frank Duke briefed the council on this item and stated the staff was recommending approval.

Mayor Bell opened the public hearing.

No one spoke in support or against this item. Mayor Bell closed the public hearing.

**MOTION** by Council Member Stith seconded by Council Member Catotti to conduct a public hearing to receive comments on the Unified Development Ordinance (UDO) Text Change – FIRM Technical Changes (TC07-09); and

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To adopt an Ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, incorporating revisions to Article 8, Environmental Protection was approved at 1:21 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

**Ordinance #13457**

**SUBJECT: PROPOSED SALE OF SURPLUS REAL ESTATE LOCATED AT 116 EAST CORPORATION, 945 EAST MAIN, 1000 EAST MAIN, 2218 EAST MAIN, 321 MARTIN LUTHER KING JR. PARKWAY, 650 and 686 HOLLOWAY STREET, 207 DOWD STREET AND 701 MALLARD STREET**

City Manager Baker commented on the Cleveland Holloway neighborhood regarding action taken by the City Council on June 4, 2007 for surplus properties. He stated he would provide council with a report at the August 9, 2007 City Council Work Session.

Several citizens from the Cleveland Holloway Street neighborhood voiced concern with the lack of notification regarding the sell of surplus properties and approved by the City Council on June 4, 2007.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to suspend the rules and take action on the above-mentioned subject excluding properties located at 650 and 686 Holloway Street, 207 Dowd Street and 701 Mallard Street was approved at 2:22 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Stith and Woodard. Noes: Council Member Clement. Excused Absence: Council Member Brown.

**MOTION** by Council Member Woodard seconded by Council Member Catotti to declare 945 East Main Street, 1000 East Main Street, 2218 East Main Street as surplus property; and

To accept the following bids to purchase the respective properties:

1. Union Baptist Church for \$55,000 for 116 East Corporation
2. VLBP Realty, LLC for \$31,000 for 945 East Main Street
3. Dan Kurtz for \$18,000 for 1000 East Main Street
4. Eddie Falcocchia for \$3,525.00 for 2218 East Main Street
5. Chaz International Professional Services for \$22,500 for 321 Martin Luther King Jr. Parkway; and

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To authorize the City Manager to sell and the Mayor to convey the properties with a non-warranty deed subject to reservations and easements to be retained by the City; and

To direct the administration to provide Council with a report on what the proposed use will be for properties located at 207 Dowd Street, 650 and 686 Holloway Street and 701 Mallard Street was approved at 2:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Clement, Stith and Woodard. Noes: None. Excused Absence: Council Member Brown.

D. Ann Gray, CMC  
City Clerk